

California Regional Water Quality Control Board
North Coast Region
5550 Skylane Boulevard, Suite A
Santa Rosa, CA 95403

PUBLIC HEARING AND NOTICE OF ISSUANCE
OF A COMPLAINT

FOR

ADMINISTRATIVE CIVIL LIABILITY

IN THE MATTER OF

HOPLAND PUBLIC UTILITIES DISTRICT
MENDOCINO COUNTY
WDID NO. 1B801540MEN

VIOLATIONS OF
CALIFORNIA WATER CODE SECTION 13267

Mendocino County

On July 31, 2002 the California Regional Water Quality Control Board, North Coast Region (Regional Water Board), Executive Officer issued Complaint No. R1-2002-0084 for Administrative Civil Liability to the Hopland Public Utilities District (Hopland PUD), in the amount of \$45,000 for alleged violations of water quality laws by refusing to submit required technical reports. The Complaint was issued for the non-submittal of 19 monthly self-monitoring reports, which violated Section 13267 of the California Water Code (CWC). CWC Section 13268(b)(1) provides for the imposition of Civil Liabilities against any person failing to submit technical reports. For violations of CWC Section 13267, Section 13268(b)(1) authorizes the Regional Water Board to impose Civil Liability in an amount not to exceed the sum of \$1,000 for each day in which the violation occurs.

Based on a review of the facts and the required factors, the Executive Officer of the Regional Water Board is issuing this Complaint with a proposed Administrative Civil Liability in the amount of \$45,000 dollars, due and payable within 30 days of the date of this Complaint.

This notice is to inform the public of the issuance of the Complaint and to advise that a 30-day public comment period has commenced. If no significant comments are received during the comment period, the Hopland PUD will have the opportunity to settle the matter by paying the proposed Administrative Civil Liability. If the Hopland PUD contests the issuance of the Complaint, the Regional Water Board will hold a public hearing on this matter on September 26, 2002, in the Regional Water Quality Control Board office, 5550 Skylane Boulevard, Suite A, Santa Rosa, California at 9:00 a.m., or as soon thereafter as possible. At the hearing, the Regional Water Board will consider whether to affirm, reject, or modify the proposed Civil Liability, to refer the matter to the Attorney General for recovery of judicial liability, or take other enforcement action.

Regional Water Board staff, Hopland PUD, and other interested persons will be given an opportunity to present evidence in this matter at the hearing, if held. All those who plan to testify at the hearing should submit their written testimony and any evidence in advance of the hearing. Written testimony and evidence received by August 30, 2002 will be transmitted to the Regional Water Board members.

Persons submitting written testimony and documentary evidence should be present at the hearing and available for cross-examination. Testimony at the above scheduled hearing should be limited to a summary of the above described written evidence and testimony. The Regional Water Board may allow further submission of oral or written testimony or evidence at the hearing, provided that a proper showing is made that evidence is available which was not available at the time the written testimony was submitted. If this showing is not made, the Regional Water Board may refuse to accept such further oral or written testimony or evidence.

The Complaint is available for review on the Regional Water Board web site at <http://www.swrcb.ca.gov/rwqcb1/orders.html>. In addition, the evidentiary documents and file may be inspected or copied at the Regional Water Board office on Mondays from 1:30 p.m. to 4:30 p.m., Tuesday through Thursday from 8:30 a.m. to 11:30 a.m. and from 1:30 p.m. to 4:30 p.m., and Fridays from 8:30 a.m. to 11:30 a.m. Appointments are recommended for file review. Appointments can be made by calling (707) 576-2220. For further information, please call Regional Water Board staff member Mona Dougherty at (707) 570-3761.

Susan A. Warner
Executive Officer

July 31, 2002